

**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| <b>Application Serial No:</b> 10/779,825       | <b>Attorney Docket No:</b> BP2431        |
| <b>Application Filing Date:</b> 02-17-2004     | <b>Inventor(s):</b> Gottfried Ungerboeck |
| <b>Examiner:</b> TIMORY, KABIR A               |                                          |
| <b>Art Group:</b> 2609                         | <b>Patent No:</b> n/a                    |
| <b>Confirmation No:</b> 9140                   | <b>Patent Issue Date:</b> n/a            |
| <b>Title:</b> Zero excess bandwidth modulation |                                          |

Date: 09-04-2007

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to a non-final office action mailed on 05-03-2007 (Paper No./Mail Date 20070428) regarding the above-identified U.S. utility patent application, the Applicant respectfully submits the following amendment/response that is being filed within 4 months of the mailing date thereof.

The Applicant is also submitting herewith a petition for extension of time (1 month) under 37 C.F.R. §1.136(a) along with payment of the appropriate fees under 37 C.F.R. §1.17(a)(3).

With a one (1) month extension of time, the three (3) month response due date extends from 08-03-2007 to 09-03-2007. However, since 09-03-2007 was Labor Day, the first Monday in September, a Federal Holiday as observed by both United States Patent and Trademark Office (USPTO) and the United States Postal Service (USPS), the Applicant respectfully believes that with the one (1) month extension of time, the three (3) month response due date actually extends from 08-03-2007 to 09-04-2007 in this instance. With the one (1) month extension of time, the Applicant respectfully believes that this amendment/response is timely filed on or before 09-04-2007, which is the next business day in light of the one (1) month extension of time.